

REMARKS/ARGUMENTS

The June 11, 2008 Office Action and the reference cited therein have been carefully reviewed. In view of the present amendments and the following remarks, the favorable reconsideration and allowance of this application are respectfully requested.

I. Claim Rejections -- 35 U.S.C. § 112

The Examiner rejected claims 4, 6, 7, 9, 10, 11 and 13 for indefiniteness. Applicant has made the following amendments to more particularly point out and distinctly claim the subject matter of the present invention:

- 1) Claim 4 has been canceled, so the rejection of that claim is deemed moot;
- 2) Claims 6, 9, 10 and 13 have been amended to delete the terminology “in particular”, which the Examiner states is indefinite;
- 3) Claim 7 (as well as the relevant part of claim 10) has been amended to clarify that the carrier plate (4) and the frame box (31) are both alternative parts of the motor vehicle door lock. In other words, the present drawings show an arrangement using the carrier plate (4) as the element on which the locking pieces are mounted. However, as described at the amended paragraph [0027] of the specification, the frame box (31) can also be arranged to function as the “carrier plate” wherein or whereupon the locking pieces are mounted. Applicant has also corrected the appropriate paragraphs in the specification for consistency, by fixing minor mistranslation/typographical errors, wherein “bearing plate” should have been called a “carrier plate”.

- 4) Claim 9 has been amended to provide a proper antecedent basis of “an” for “external edge”;
- 5) Further, claim 9 has been amended to clarify that a plastic extrusion coating applied using the Outsert method, is arranged to enclose an external edge *and/or* edges of openings/cut out areas of the carrier plate, as described at paragraph [0021] of the specification. In previous discussions with attorneys at the USPTO, Applicant had been told that the use of the expression “and/or” is permissible as long as the scope of the recitation itself is clear;
- 6) Claim 13 has been amended to provide the proper antecedent basis of “an” for “transportation fixing”.

In view of the above-described amendments, the reconsideration and withdrawal of these rejections is respectfully requested.

II. Claim Rejections -- 35 U.S.C. § 102 & § 103

Claims 1, 5, 6 and 7 were rejected under 35 U.S.C. § 102(b) as being unpatentable over Ilea et al. (U.S. Patent No. 7,192,066; hereinafter “Ilea”). As per our discussion over the telephone, the Examiner indicated that the rejection in this case was improper under § 102(b) but may still be proper under § 102(e). Furthermore, claims 2-4 and 8-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ilea in view of Weis (U.S. Patent No. 4,930,061). These bases for rejections are traversed.

To more clarify the novel features of the present invention, Applicant has amended claim 1 to incorporate the subject matter of previously pending claims 2-4, and canceled claims 2-4. Applicant has also amended claim 1 to recite that producing the

dome/cone seat (44) through the Outsert method arranges the through opening (43) to “anchor and precisely position the dome/cone seat (44)”.

The present invention, through the use of the Outsert method, provides an improved motor vehicle lock that avoids the generation of noise problems existing in the prior art. The Outsert method allows the production of very precise shapes with very low tolerances. With this method, plastic material is directly sprayed around the parts to be enclosed, wherein the edges, openings or projections on the metal carrier function as anchors and precisely position the plastic. Since it does not require the assembly of extruded parts, the Outsert method greatly improves the overall economic efficiencies and quality in parts production.

As recited in claim 1, the use of the Outsert method to “precisely position the dome/cone seat (44)” on the carrier plate (4) allows the dome/cone seat (44) to accurately and easily align with the co-operating conical dome (35). As shown in FIGS. 5-10, the precise co-operation of the funnel-shaped opening (45) within the dome/cone seat (44) with the conical dome (35) during assembly of the door lock, ensures that the conical dome (35) is reliably arranged in its desired final position. As recited in claim 5, a bolt (71) may then be inserted through opening (43) into a bearing (37) of the counter piece (34) (the conical dome (35)).

This configuration provides advantages over the prior art such as 1) avoiding a noise transmission bridge between the motor vehicle door lock and the carrier plate, and 2) greatly improved production efficiencies due to the use of the Outsert method, a single-step production method allows the accurate production of many surfaces and form, without requiring any assembly of extruded parts.

Furthermore, through the Outsert method the external edges (46) of the carrier plate (4) or the edges of openings/cut out areas in the carrier plate (4) may be enclosed by a plastic extrusion coating (55), as recited in claim 9. Such coating avoids the need for labor-intensive deburring and protects against corrosion, etc.

Another advantageous features of the present invention, as recited in claims 10 and 11, is that the Outsert method may be used to efficiently apply noise muffling layers of plastic (5, 51, 52, 53, 54, 55) to various parts of the motor vehicle lock assembly, in conjunction with forming the dome/cone (44), etc.

Both Ilea and Weis disclose connecting elements, as the Examiner states. However, none of the cited reference disclose producing the above-described parts through the Outsert method, to arrange such parts precisely and accurately via anchoring them at the edges/openings/projections of the metal carrier. As described above, such precise positioning and arrangement are critical to the many advantages of the present invention.

To emphasize this point and to address the Examiner's assertions that "product by process limitations" do not limit the invention, Applicant has added new method claims 15-18 that specifically recite the use of the single-step Outsert method. These new method claims correspond to the currently pending product claims and are fully supported in the originally filed specification; thereby introducing no new matter. Again, none of the cited reference disclose or suggest the use of the Outsert method, which is a critical feature of the present invention.

Thus, for all of the above-stated reasons, Applicant respectfully submits that the cited references do not disclose or suggest essential features of the present invention.

Accordingly, Applicant believes that independent claims 1 and 15 patentably distinguish over any combination of the cited references. Claims 5-14 and claims 16-18 ultimately depend from and include all of the subject matter of claims 1 and 15 respectively, which have been shown to be allowable. Thus, claims 5-14 and 16-18 are also allowable over the cited references.

III. Summary

Having fully addressed the Examiner's rejection of all of the presently pending claims 1 and 5-18, Applicant submits that the reasons for the Examiner's rejections have been overcome. Applicant respectfully requests that the amendments be entered and a Notice of Allowance be issued.

If the Examiner believes the prosecution of this application would be advanced by a telephone call, the Examiner is invited to contact Applicant's attorney at the telephone indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Konomi Takeshita', with a long horizontal flourish extending to the right.

Konomi Takeshita
Reg. No. 38,333

OMORI & YAGUCHI USA, LLC
Eight Penn Center, Suite 1300
1628 John F. Kennedy Boulevard
Philadelphia, PA 19103
Telephone: (215) 701-6349